

**RADER,****FISHMAN****& GRAUER****PLLC**

*Worldwide Intellectual Property Matters • Patents • Trademarks  
Litigation • Copyrights • U.S. and Foreign Portfolio Management  
Computer and Internet Law • Trade Secrets • Unfair Competition*

**RECEIVED  
CENTRAL FAX CENTER**

**JUN 20 2005**

**To:** Examiner Andrew C. Flanders

**From:** Steven L. Nichols

**Fax:** (703) 872-9306

**Pages:** 15 including coversheet

**Phone:**

**Date:** June 20, 2005

**Re:** Response to Species Election Requirement - Application No. 09/976,019

☒ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

**This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return original message to us at the above address via U.S. Postal Service.  
Thank you.**

● **Transmitted, herewith, are the following documents:**

1. Facsimile Coversheet (1 page)
2. Transmittal Letter for Response/Amendment (1 page)
3. Duplicate Copy of Transmittal Letter for Response/Amendment (1 page)
4. Certificate of Transmission (1 page)
5. Response to Species Election Requirement (11 pages)

GEN-128

Serial No.: 09/976,019

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Thomas L. de Breuil

Examiner: FLANDERS, Andrew C.

Application No.: 09/976,019

Group Art Unit: 2644

Filed: October 15, 2005

Title: "Method and System for Automatically  
Configuring an Audio Environment"Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
 ( ) New fee as calculated below ( ) Supplemental Declaration  
 (X) No additional fee ( ) Other: \_\_\_\_\_

CLAIMS AS AMENDED BY A LARGE ENTITY						
FOR	CLAIMS REMAINING AFTER AMENDMENT	NUMBER EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	28	MINUS	55	= 0	X \$50.00	\$0.00
INDEP. CLAIMS	3	MINUS	4	= 0	X \$200.00	\$0.00
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM					+ \$360.00	\$
EXTENSION FEE	[ ] 1ST MONTH \$120.00	[ ] 2ND MONTH \$450.00	[ ] 3RD MONTH \$1020.00	[ ] 4TH MONTH \$1690.00		\$0.00
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

Please charge \$0.00 to Deposit Account 18-0013/80113-0126. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 18-0013/80113-0126 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 18-0013/80113-0126 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being  
transmitted to the US Patent and Trademark Office  
via facsimile number (703) 872-9306  
on June 20, 2005

Number of pages transmitted: 15

Signature:   
Rebecca R. Schow

Respectfully submitted,

By: Steven L. Nichols (Reg. No.: 40,326)  
Attorney/Agent for Applicant(s)

Telephone No.: (801) 572-8066

Date: June 20, 2005

GEN-126

**DUPLICATE**

Serial No.: 09/976,019

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Thomas L. de Breuil

Examiner: FLANDERS, Andrew C.

Application No.: 09/976,019

Group Art Unit: 2644

Filed: October 15, 2005

Title: "Method and System for Automatically  
Configuring an Audio Environment"Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
 ( ) New fee as calculated below ( ) Supplemental Declaration  
 (X) No additional fee ( ) Other: \_\_\_\_\_

CLAIMS AS AMENDED BY A LARGE ENTITY						
FOR	CLAIMS REMAINING AFTER AMENDMENT	NUMBER EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	28	MINUS	55	= 0	X \$50.00	\$0.00
INDEP. CLAIMS	3	MINUS	4	= 0	X \$200.00	\$0.00
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM					+ \$380.00	\$
EXTENSION FEE	[ ] 1ST MONTH \$120.00	[ ] 2ND MONTH \$450.00	[ ] 3RD MONTH \$1020.00	[ ] 4TH MONTH \$1590.00		\$0.00
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

Please charge \$0.00 to Deposit Account 18-0013/80113-0126. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 18-0013/80113-0126 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 18-0013/80113-0126 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being  
transmitted to the US Patent and Trademark Office  
via facsimile number (703) 872-9306  
on June 20, 2005

Number of pages transmitted: 15

Signature:   
Rebecca R. Schow

Respectfully submitted,

By: Steven L. Nichols (Reg. No.: 40,326)  
Attorney/Agent for Applicant(s)

Telephone No.: (801) 572-8066

Date: June 20, 2005

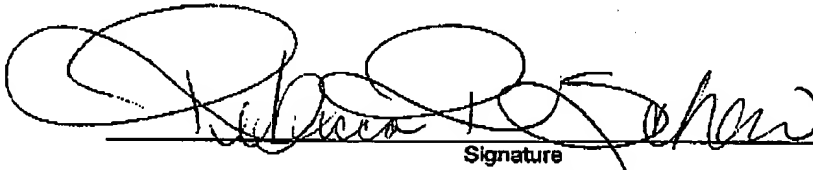
Application No.: 09/976,019

Attorney Docket No.: GEN-126

## Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to Examiner Andrew C. Flanders via the USPTO central facsimile number, (703) 872-9306.

on June 20, 2005  
Date

  
Signature  
Rebecca R. Schow  
Typed or printed name of person signing Certificate

**Transmitted, herewith, are the following documents:**

1. Facsimile Coversheet (1 page)
2. Transmittal Letter for Response/Amendment (1 page)
3. Duplicate Copy of Transmittal Letter for Response/Amendment (1 page)
4. Certificate of Transmission (1 page)
5. Response to Species Election Requirement (11 pages)

80113-0126

09/976,019

**RECEIVED  
CENTRAL FAX CENTER**

JUN 20 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of

Thomas L. du Breuil

Application No. 09/976,019

Filed: October 15, 2001

For: Method and System for Automatically  
Configuring an Audio Environment

Group Art Unit: 2644

Examiner: Andrew C. Flanders

RESPONSE TO SPECIES ELECTION REQUIREMENTCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the non-final Official Action mailed on May 18, 2005, please consider the following.